

<b>IN THE UNITED STATES PATENT AND TRADEMARK OFFICE</b>	<i>Application Number</i>	10/552,969
	<i>Filing Date</i>	October 13, 2005
	<i>First Named Inventor</i>	ANTON ARNOLD van der HEIDEN
	<i>Group Art Unit</i>	1638
	<i>Examiner Name</i>	P. Bui
	<i>Attorney Docket Number</i>	1458-003
<i>Title of the Invention:</i> <b>FRUITS OF THE GENUS CAPSICUM</b>		

Submitted via EFS-Web  
February 25, 2008

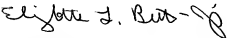
### **RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
P. O. Box 1450  
Alexandria VA 22313-1450

Sir:

In response to the Office Action mailed January 8, 2008, restricting the invention to one of four groups of claims under 35 U.S.C. §121, Applicant hereby elects Group I, drawn to a method for enhancing taste or nutritional value (or method of making). Applicant's attorney talked by telephone with the Examiner concerning the claims as filed and also the Preliminary Amendment which was filed October 13, 2005. The Examiner instructed Applicant's attorney to apply the Restriction Requirement to the claims of the Preliminary Amendment and indicated that the Examiner would enter the claims of the Preliminary Amendment.

Applying the Restriction Requirement to the claims of the Preliminary Amendment, therefore, Applicant believes Group I applies to claims 12-26 and 29-31 and Group II applies to claims 27-28. Applicant elects Group I, claims 12-26 and 29-31.

RESPECTFULLY SUBMITTED,					
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